

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

REBECCA RODDY, )  
v. Plaintiff, ) No. 1:04-CV-187  
SEARS, ROEBUCK & COMPANY, ) Judge Curtis L. Collier  
Defendant and Third Party Plaintiff, )  
v. )  
GRANGE MUTUAL INSURANCE )  
COMPANY, )  
Third Party Defendant. )

## ORDER

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Third-Party Defendant Grange Mutual Insurance Company (“Grange Mutual”) filed a Motion for Summary Judgment (Court File No. 16). The Court referred the matter to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). In accordance with Rule 72(b) of the Federal Rules of Civil Procedure, the magistrate judge filed a report and recommendation (“R&R”) recommending Grange Mutual’s motion for summary judgment be granted (Court File No. 40). Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations pursuant to 28 U.S.C. § 636(b)(1)(B) & (C), and Rule 72(b), and hereby **ORDERS**:

- (1) Grange Mutual's motion for summary judgment (Court File No. 16) is **GRANTED**;
- (2) Sears' claims against Grange Mutual are **DISMISSED**.

**SO ORDERED.**

**ENTER:**

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*/s/*  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**